

### **REMARKS**

In response to the Office Action mailed March 24, 2006, the Applicant respectfully requests that the Examiner enter the above amendments and consider the following remarks. Claims 1 and 18-22 have been amended to more clearly describe the invention. As a result, claims 1-25 are still pending in the application. The Applicant respectfully requests further examination and reconsideration of the application in light of the amendments and accompanying remarks.

#### **Rejection of Claims 1-16 and 18-25 Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 1-16 and 18-25 under 35 U.S.C. § 103(a) as being obvious over Manning et al. in view of Bynoe. The Applicant respectfully traverses the rejection. In particular, there is no motivation to combine the references as suggested by the Examiner.

Manning et al. is directed to a reinforced vinyl siding unit, whereas Bynoe is directed to an insulated roof system. Manning et al. does not teach or suggest that there is a problem with moisture or vapor accumulation behind a siding unit. In fact, a typical siding unit is installed in a vertical manner with siding panels of adjacent siding units being overlapped. In light of the customary installation of a siding unit, there is no inference that can be derived from Manning et al. that there is a problem with moisture accumulating behind a siding unit. Likewise, Bynoe does not teach or suggest that there is any problem with moisture accumulating behind a siding panel of a siding unit. Furthermore, Bynoe does not teach or suggest that a thermal insulating panel as

described therein would be useful for a siding unit. It is well known that roofing systems are particularly susceptible to water damage due to the distinct manner of installation on top of a structure. As a result of being installed on top of a structure, a typical roofing structure may be heavily subjected to rain or snow on a regular basis such as described by Bynoe from column 1, line 53, to column 2, line 2. As a result of the unique installation of a roofing system, Bynoe sets forth a roof construction that is intended to allow water to flow from the roof system into roof drains as explained in column 2, lines 5-11. Bynoe even describes that it is preferable that the outermost panels (i.e., panels 15 or 35) be installed such that there are gaps there between to enable water to flow between the outermost panels and into the grooves such that the water will be discharged into the roof drains.

There is no suggestion or motivation that it is desirable for a siding unit as described by Manning et al. to employ a roof construction as described by Bynoe. In particular, there is no motivation that a siding unit as described by Manning et al., which will be vertically installed, needs a drainage system that is particularly designed for a roof system that will be installed horizontally on top of a structure. A typical siding unit such as taught by Manning et al. does not direct water into a drainage system like a roof construction as taught by Bynoe. Moreover, there is no motivation to provide a gap between siding panels of a siding unit so that water can enter a drainage system such as taught by Bynoe.

Thus, in light of the above reasons, the Applicant respectfully submits that there is no motivation or suggestion to combine the references as set forth by the Examiner. In addition, the Applicant has amended claim 1 to more clearly describe that the paneling unit is comprised of a siding panel. Such a paneling unit is not taught or suggested by the cited references. Therefore, the Applicant respectfully submits that Manning et al. in view of Bynoe cannot support the rejection of claims 1-16 and 18-25 under 35 U.S.C. § 103(a).

Rejection of Claim 17 Under 35 U.S.C. § 103(a)

The Examiner rejected claim 17 under 35 U.S.C. § 103(a) as being obvious over Manning et al. in view of Bynoe and further in view of Phillips et al. The Applicant respectfully traverses the rejection.

The shortcomings of Manning et al. in view of Bynoe with regard to claim 1 have been set forth above. Phillips et al. fails to overcome those shortcomings with regard to claim 1. Furthermore, the Applicant respectfully submits that Phillips et al. in column 6, lines 19-23, merely teaches the use of a spray to seal any openings between panels. Sealing an opening is not equivalent to using a chemical to repe/ insects. Therefore, the Applicant respectfully submits that Manning et al. in view of Bynoe and further in view of Phillips et al. cannot support the rejection of claim 17 under 35 U.S.C. § 103(a).

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Conclusion

The Applicant has distinguished claims 1-25 over the cited references. Therefore, the Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

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